

**IN THE CLAIMS**

1. (Currently Amended) A secondary battery comprising a positive electrode, a negative electrode, and an electrolyte,

wherein the positive electrode includes a positive electrode mixture layer capable of occluding and releasing light metal;

wherein the negative electrode includes a negative electrode mixture layer capable of occluding and releasing light metal;

wherein the charge capacity of the negative electrode is expressed by the sum of a first capacity component by occluding and releasing light metal and

a second capacity component by precipitating and dissolving light metal on said negative electrode at charging voltages below overcharging;

wherein the ratio (A/B) of thickness A of the positive electrode mixture layer and thickness B of the negative electrode mixture layer is ~~1.038~~ 1.1 or more;

wherein each of the thickness A of the positive electrode mixture layer and the thickness B of the negative electrode mixture layer lies within the range of 80  $\mu\text{m}$  to 250  $\mu\text{m}$ , both inclusive; and

wherein the negative electrode mixture layer contains a carbonaceous material.

Claims 2-3 (Cancelled)

4. (Original) A secondary battery as claimed in claim 1, wherein the negative electrode mixture layer contains graphite.

5. (Original) A secondary battery as claimed in claim 1, wherein the light metal includes lithium.

6. (Original) A secondary battery as claimed in claim 1, wherein the electrolyte contains  $\text{LiPF}_6$ .

7. (Original) A secondary battery as claimed in claim 1, wherein the electrolyte contains a nonaqueous solvent and electrolytic salt, where the concentration of the electrolytic salt in the nonaqueous solvent is 2.0 mol/kg or less.

8-12. (Cancelled)

13. (Currently Amended) A secondary battery comprising:  
a positive electrode;  
a negative electrode; and  
an electrolyte, wherein the positive electrode includes a positive electrode mixture layer capable of occluding and releasing light metal, wherein the negative electrode includes a negative electrode mixture layer capable of occluding and releasing light metal, wherein the charge capacity of the negative electrode causes lithium to precipitate on the negative electrode before charging of the secondary battery is completed, and wherein the ratio (A/B) of thickness A of the positive electrode mixture layer and thickness B of the negative electrode mixture layer is ~~1.038~~ 1.1 or more;

wherein each of the thickness A of the positive electrode mixture layer and the thickness B of the negative electrode mixture layer lies within the range of 80  $\mu\text{m}$  to 250  $\mu\text{m}$ , both inclusive; and

wherein the negative electrode mixture layer contains a carbonaceous material.

14. (Currently Amended) A secondary battery comprising:  
a positive electrode;  
a negative electrode; and  
an electrolyte, wherein the positive electrode includes a positive electrode mixture layer capable of occluding and releasing light metal, wherein the negative electrode includes a negative electrode mixture layer capable of occluding and releasing light metal, wherein the charge capacity of the negative electrode causes lithium to precipitate on the negative electrode when an open circuit voltage of the battery is lower than an overcharge voltage, wherein the ratio

(A/B) of thickness A of the positive electrode mixture layer and thickness B of the negative electrode mixture layer is ~~1.038~~ 1.1 or more;

wherein each of the thickness A of the positive electrode mixture layer and the thickness B of the negative electrode mixture layer lies within the range of 80  $\mu\text{m}$  to 250  $\mu\text{m}$ , both inclusive; and

wherein the negative electrode mixture layer contains a carbonaceous material.